

# County Council of Cuyahoga County, Ohio

## Resolution No. R2016-0217

Sponsored by: **County Executive Budish/Department of Development**

Co-sponsored by: **Councilmembers Germana, Hairston and Schron**

**A Resolution** authorizing an Economic Development Fund Accelerated Growth Loan in the amount not-to-exceed \$1,500,000.00 to Fat Head's Brewing, L.P. for the benefit of a project located at Engle Road in the City of Middleburg Heights, Permanent Parcel No. 171-21-004; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, the County Executive/Department of Development has recommended an Economic Development Fund Accelerated Growth Loan in the amount not-to-exceed \$1,500,000.00 to Fat Head's Brewing, L.P. for the benefit of a project located at Engle Road in the City of Middleburg Heights, Permanent Parcel No. 171-21-004; and

WHEREAS, the primary goals of this project are to build a 125,000 square foot central brewery facility along with a tap house/restaurant in the City of Middleburg Heights, Council District 4; and

WHEREAS, this project is anticipated to retain thirty-seven (37) production jobs and create seventy-four (74) new jobs over the next three (3) years; and

WHEREAS, the total cost of this project is \$11,430,000.00, of which the County will loan \$1,500,000.00 with a term of ten (10) years at an interest rate of three percent (3%); and

WHEREAS, the proposed funding source for the loan is the Cuyahoga County Western Reserve Fund; and

WHEREAS, the project will be subject to the following, as applicable, and without limitation: the County's SBE Policy, adopted October 29, 2009; execution of a Workforce Development Agreement; submission of annual job creation/retention reporting; and payment of prevailing wages for that portion of the project funded by the County loan authorized herein; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council authorizes an Economic Development Fund Accelerated Growth Loan in the amount not-to-exceed \$1,500,000.00 to Fat Head's Brewing, L.P. for the benefit of a project located at Engle Road in the City of Middleburg Heights, Permanent Parcel No. 171-21-004.

**SECTION 2.** That the County Executive and/or Director of Development are authorized to execute all documents consistent with said loan and this Resolution.

**SECTION 3.** This Resolution shall sunset twelve (12) months after County Council approval should the authorized action have not occurred by that date. In the event this Resolution sunsets prior to the authorized action taking place, the Director of Development shall notify the Clerk of Council in writing. The Clerk of Council shall record the sunsetting of this Resolution in the Council's Journal.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 5.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Schron, seconded by Mr. Hairston, the foregoing Resolution was duly adopted.

Yeas: Miller, Germana, Gallagher, Schron, Conwell, Jones, Brown, Hairston,  
Simon and Brady

Nays: None

Don R. Ben /  
County Council President

11/30/2016  
Date

Mark Bl.  
County Executive

12-1-16  
Date

Janet M. Schnitzler  
Clerk of Council

11/29/2016  
Date

First Reading/Referred to Committee: November 15, 2015  
Committee(s) Assigned: Economic Development & Planning

Legislation Substituted in Committee: November 22, 2016

Additional Sponsorship Requested: November 22, 2016

Additional Sponsorship Requested on the Floor: November 29, 2016

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November 29, 2016